

OPEN MEETING ITEM

COMMISSIONERS
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS



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ARIZONA CORPORATION COMMISSION

ORIGINAL

DATE: APRIL 25, 2012
DOCKET NO.: T-03296A-07-0335
TO ALL PARTIES:

Arizona Corporation Commission

DOCKETED

APR 25 2012

DOCKETED BY

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Enclosed please find the recommendation of Administrative Law Judge Marc E. Stern.
The recommendation has been filed in the form of an Order on:

DANCRIS TELECOM, L.L.C.
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

MAY 4, 2012

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MAY 22, 2012 and MAY 23, 2012

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

E. G. Johnson
ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 GARY PIERCE - Chairman
4 BOB STUMP
5 SANDRA D. KENNEDY
6 PAUL NEWMAN
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION OF
9 DANCRI TELECOM, L.L.C. TO CANCEL ITS
10 CERTIFICATE OF CONVENIENCE AND
11 NECESSITY TO PROVIDE COMPETITIVE
12 RESOLD INTEREXCHANGE
13 TELECOMMUNICATIONS SERVICES AND
14 ALTERNATIVE OPERATOR SERVICES
15 WITHIN THE STATE OF ARIZONA.

DOCKET NO. T-03296A-07-0335

DECISION NO. _____

ORDER

11 Open Meeting
12 May 22 and 23, 2012
13 Phoenix, Arizona

13 **BY THE COMMISSION:**

14 Having considered the entire record herein and being fully advised in the premises, the
15 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

16 **FINDINGS OF FACT**

17 1. On March 30, 2001, the Commission issued Decision No. 63540 which granted a
18 Certificate of Convenience and Necessity ("Certificate") to Dancris Telecom, L.L.C. ("Dancris" or
19 "Company") to provide resold interexchange telecommunications service in Arizona.

20 2. On June 17, 2003, the Commission issued Decision No. 65982 which authorized
21 Dancris to also provide alternative operator services ("AOS") in Arizona.

22 3. On May 30, 2007, an attorney for the Company filed with the Commission an
23 application for the cancellation of its Certificate ("Application").

24 4. The Company stated that it is not operating in Arizona and is not providing service in
25 any other state and has no customers.

26 5. On April 11, 2012, the Commission's Utilities Division ("Staff") filed its Staff Report
27 recommending approval of the Company's Application.

28 6. Based on Staff's research, Staff states that the Company was purchased by Andiamo

1 Telecom ("AT") in February 2004. AT's Certificate was subsequently cancelled by the Commission
2 in Decision No. 72710 on December 9, 2011.

3 7. There is no evidence of customer complaints, inquiries or opinions against the
4 Company.

5 8. Staff recommends approval of the Company's Application, the cancellation of the
6 Company's Certificate, and a waiver of the legal notice requirement of A.A.C. R14-2-1107(B).

7 9. Staff's recommendations are reasonable and should be adopted.

8 **CONCLUSIONS OF LAW**

9 1. The Company is a public service corporation within the meaning of Article XV of the
10 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

11 2. The Commission has jurisdiction over the Company and the subject matter of the
12 Application.

13 3. The cancellation of the Company's Certificate is in the public interest and the
14 Application should be granted as recommended by Staff.

15 4. Pursuant to A.R.S. § 40-282, the Commission may issue decisions regarding a
16 Certificate of Convenience and Necessity for certain telecommunication services without a hearing.

17 5. The requirements of A.A.C. R14-2-1107 should be waived in this case.

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ORDER

IT IS THEREFORE ORDERED that the Application of Dancris Telecom, L.L.C. for the cancellation of its Certificate of Convenience and Necessity to provide resold interexchange telecommunications services and alternative operator service in Arizona is approved, and its Certificate of Convenience and Necessity is hereby cancelled.

IT IS FURTHER ORDERED that Dancris Telecom, L.L.C. is hereby granted a waiver of A.A.C. R14-2-1107.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2012.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

MES:db

1 SERVICE LIST FOR: DANCRIS TELECOM, L.L.C.

2 DOCKET NO.: T-03296A-07-0335

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